

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:16-CR-160-D

UNITED STATES OF AMERICA :
:
v. :
:
JOSEPH W. HORNER, JR. :
:

ORDER AND JUDGMENT OF FORFEITURE

In the Criminal Information in the above action, the United States sought forfeiture of property of the defendant, JOSEPH W. HORNER, JR., pursuant to 18 U.S.C. § 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as proceeds of the unlawful activity of the defendant as charged in the Criminal Information.

The defendant pled guilty to the Criminal Information and agreed to forfeit the property listed in the Criminal Information.

By virtue of the defendant's guilty plea and agreement, the United States is now entitled to the defendant's interest in \$277,901.00 currency, pursuant to 18 U.S.C. § 981(a)(1)(C).

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. Based upon the defendant's guilty plea and agreement, the above-listed \$277,901.00 currency is forfeited to the United States for disposition in accordance with the law; and
2. Any and all forfeited funds shall be deposited by the U. S. Department of Justice or the U. S. Department of the

Treasury, as soon as located or recovered, into the U. S. Department of Justice's Assets Forfeiture Fund or the U. S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

In respect to the dollar amount forfeited by the defendant but not in the possession of or its whereabouts known to the Government, JUDGMENT is hereby entered against the defendant for the amount forfeitable, specifically, \$277,901.00 currency.

In addition, upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b) (3). In accordance with Fed. R. Crim. P. 32.2(b) (4) (A), this Order shall be final as to the defendant at sentencing.

SO ORDERED. This 8 day of December 2016.

J. C. Dever
JAMES C. DEVER, III
Chief United States District Judge